

COMMONWEALTH OF KENTUCKY  
BEFORE THE ENERGY REGULATORY COMMISSION

\* \* \* \* \*

In the Matter of

THE COMPLAINT OF MS. WANDA	)	
CORNELISON, LEXINGTON, KENTUCKY	)	CASE NO. 7989
AGAINST COLUMBIA GAS OF KENTUCKY	)	

O R D E R

On August 20, 1980 the Commission received a letter from Attorney Karen J. Meyers, Central Kentucky Legal Service, Inc. on behalf of Ms. Wanda Cornelison, Lexington, Kentucky. The letter stated that Ms. Cornelison received a notice dated May 5, 1980 from Columbia Gas of Kentucky (Columbia) stating that an adjustment would be made to her bill due to a stopped meter for a period of time during the winter of 1979. The adjustment was based on an estimate and exceeded \$100. Ms. Cornelison later received a notice of termination and, after protest, she agreed to pay the amount over a period of time.

On August 27, 1980 the Commission received a letter from Columbia stating that on April 23, 1980 Ms. Cornelison's meter had been found to be passing gas but not registering. The letter further states that the meter had been registering slow since December 13, 1979 and had completely stopped registering by April 23, 1980. Ms. Cornelison had originally been billed for a total of 7mcf and that the account was rebilled for 49mcf based on historical usage and weather. The rebilling resulted in a debit billing of \$132.15. Finally, the letter states that the Company agreed to an extended payment plan suggested by Ms. Cornelison.

The Commission, by letter dated September 17, 1980, forwarded a copy of 807 KAR 50:015, Section 9 (Appendix "A" herein) which relates to bill adjustments.

By letter received September 29, 1980 Ms. Meyers questions the procedures of Columbia and the legality of the Commission's regulation.

The Commission, having considered the matter and being advised hereby ORDERS That this matter be and it hereby is set for hearing on October 21, 1980, at 10:00 a.m., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky.

IT IS FURTHER ORDERED That Columbia Gas of Kentucky shall appear at the scheduled hearing and present testimony relative to this matter.

Done at Frankfort, Kentucky, this 9th day of October, 1980.

ENERGY REGULATORY COMMISSION

  
For the Commission

ATTEST:

Secretary

these requirements. Each utility shall submit the form of bill to be used by it to the commission for its approval.

Section 7. Deposits. (1) A utility may require from any customer or applicant for service a minimum cash deposit or other guaranty to secure payment of bills of an amount not to exceed two-twelfths (2/12) of the estimated annual bill of such customer or applicant, where bills are rendered monthly or an amount not to exceed three-twelfths (3/12) of the estimated annual bill of such customer or applicant, where bills are rendered bimonthly or an amount not to exceed four-twelfths (4/12) of the estimated bill of such customer or applicant where bills are rendered quarterly.

(2) The utility shall issue to every customer from whom a deposit is received a certificate of deposit, showing the name of the customer, location of initial premises occupied, date and amount of the deposit.

Section 8. Complaints. Upon complaint to the utility by a customer either at its office or in writing, the utility shall make a prompt and complete investigation and advise the complainant thereof. It shall keep a record of all such complaints concerning its utility service which shall show the name and address of the complainant, the date and nature of the complaint, and the adjustment or disposition thereof.

Section 9. Bill Adjustment. (1) Whenever a meter in service is found upon periodic request or complaint test to be more than two percent (2%) fast, additional tests shall be made at once to determine the average error of the meter. Said tests shall be made in accordance with the commission's regulation applicable to the type of meter involved.

(2) If the result of tests on a customer's meter shows an average error greater than two percent (2%) fast, then the customer's bills, for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test but in no case to exceed twelve (12) months. (See exception in subsection (5) of this section.)

(3) If the result of tests on a customer's meter shows an average error greater than two percent (2%) slow, then the customer's bill, for the period during which the meter error is known to have existed, may be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill may be recomputed for one-half (1/2) of the elapsed time since the last previous test but in no case to exceed twelve (12) months.

(4) It shall be understood that when a meter is found to have an error in excess of two percent (2%) fast or slow the figure for calculating the amount of refund or the amount to be collected by the utility shall be that percentage of error as determined by the test; i.e., it is the duty of the utility to maintain the accuracy of its measuring devices as nearly 100 percent as is commercially practicable. Therefore, percent error shall be that difference as between 100 percent and that amount of error as is indicated by the test.

(5) The burden of maintaining measuring equipment so that it will register accurately is upon the utility; therefore, if meters are found upon test to register fast and if time for

periodic test has overrun to the extent that one-half (1/2) of the time elapsed since the last previous test exceeds twelve (12) months, the refund shall be for the twelve (12) months as specified in subsection (2) of this section and in addition thereto, a like refund for those months exceeding the periodic test period; provided, however, that the commission may relieve the utility from this requirement in any particular case in which it is shown that the failure to make the periodic test was due to causes beyond the utility's control.

(6) Each utility shall make a reasonable attempt to determine if the amount of consumption for the current billing period for each customer is unduly excessive. If a comparison of consumption indicates a necessity therefor, a test of the customer's meter shall be made, and if the meter is found to register incorrectly to the customer's prejudice more than two percent (2%), the utility shall recalculate the customer's bills in accordance with the foregoing provisions.

(7) When a meter is tested and it is found necessary to make a refund or back bill a customer, the customer shall be notified in substantially the following form:

On \_\_\_\_\_, 19\_\_\_\_, the meter bearing  
identification No. \_\_\_\_\_ installed in your building  
located at \_\_\_\_\_  
(Street and Number)  
in \_\_\_\_\_ was tested  
(City)  
at \_\_\_\_\_ and found to  
(On premises or elsewhere)  
register \_\_\_\_\_  
(Percent fast or slow)  
The meter was tested on \_\_\_\_\_  
(Periodic, Request, Complaint)  
test.

Based upon this we herewith \_\_\_\_\_  
(Charge or Credit)  
you with the sum of \$ \_\_\_\_\_, which amount  
has been noted on your regular bill.

Section 10. Customer's Discontinuance of Service. (1) Any customer desiring service discontinued or changed from one address to another shall give the utility three (3) days' notice in person or in writing, provided such notice does not violate contractual obligations.

(2) Upon request that service be reconnected at any premises subsequent to the initial installation or connection to its service lines, the utility may, subject to subsection (3) of this section, charge the applicant an amount not to exceed the actual average cost as approved by this commission of making such reconnection.

(3) Any utility desiring to establish a reconnection charge under the provisions of subsection (2) above, shall submit for commission approval a formal application setting out:

- The actual average cost of making such reconnections; and
- The effect of such charges on the utility's revenues.